IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITON NO.7927 OF 2005

M/s.Wings Electronics ..Petitioner.

V/s.

Union of India & Ors. ..Respondents.

Mr.S.N.Kantawala i/b. Yogesh Rohira for petitioner.

Mr.S.S.Pakale with Y.R.Mishra for respondents.

CORAM : H.L.GOKHALE AND
J.P.DEVADHAR, JJ.

DATED : 14TH DECEMBER, 2005.

P.C. :-

Heard Mr.Kantawala for the petitioner. Mr.Pakale appears for the respondents. The petition is filed to enforce the order passed by the Customs, Excise & Service Tax Appellate Tribunal (CESTAT) on 1st April, 2005. Mr.Pakale informs that the respondents have decided to file an S.L.P. to the Supreme Court. He draws our attention to the letter sent by the C.B.D.T. addressed to the Commissioner of Customs (Imports) stating that the papers have been received for drafting the S.L.P. after getting the consent from

the Ministry of Law. This being the position he seeks a further period of 10 weeks. Mr.Kantawala naturally opposes that request. We note that as of now the order passed by the CESTAT is an enforceable order. This being the position, we direct the respondents to implement the order, if they do not obtain any appropriate order of stay by the end of January, 2006.

Petition stands disposed of in the above terms.

(H.L.GOKHALE, J.)

(J.P.DEVADHAR, J.)